

HOUSE BILL REPORT

HB 1650

As Reported by House Committee On:
Housing, Community Development & Veterans
Appropriations

Title: An act relating to promoting access to earned benefits and services for lesbian, gay, bisexual, and transgender veterans.

Brief Description: Promoting access to earned benefits and services for lesbian, gay, bisexual, and transgender veterans.

Sponsors: Representatives Kilduff, Reeves, Orwall, Leavitt, Morgan, Doglio, Macri, Frame, Lovick, Peterson, Appleton, Ortiz-Self, Robinson, Valdez, Hudgins, Davis, Stanford, Bergquist and Tarleton.

Brief History:

Committee Activity:

Housing, Community Development & Veterans: 2/6/19, 2/12/19 [DP];
Appropriations: 1/30/20, 2/3/20 [DPS].

Brief Summary of Substitute Bill

- Creates the position of Lesbian, Gay, Bisexual, Transgender, and Queer Coordinator (Coordinator) within the Department of Veterans Affairs (DVA) and assigns duties to the coordinator.
- Requires the DVA to submit a report to the Governor and the Legislature by December 15, 2021, containing information regarding the activities of the Coordinator.

HOUSE COMMITTEE ON HOUSING, COMMUNITY DEVELOPMENT & VETERANS

Majority Report: Do pass. Signed by 6 members: Representatives Ryu, Chair; Gildon, Ranking Minority Member; Entenman, Frame, Leavitt and Reeves.

Minority Report: Without recommendation. Signed by 2 members: Representatives Barkis, Assistant Ranking Minority Member; Corry.

Staff: Cassie Jones (786-7303).

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Background:

The Department of Veterans Affairs (DVA) is a state agency created in 1975. The powers and duties of the DVA include cooperating with local governments and the federal government, particularly regarding participation in federal grants-in-aid programs relating to veterans and veterans affairs. The DVA provides many services to veterans and their families, including medical care, assistance with claims for benefits, estate management, counseling, and financial assistance. The DVA assists veterans with education, training, and employment.

Summary of Bill:

The position of lesbian, gay, bisexual, and transgender coordinator (coordinator) is created within the DVA. The duties of the coordinator include, but are not limited to:

- conducting outreach to, and providing assistance designed for the unique needs of, veterans who are lesbian, gay, bisexual, and transgender (LGBT), and to the spouses and dependents of such veterans;
- providing assistance to veterans who are LGBT in applying for an upgrade to the character of a discharge from service or a change in the narrative reason for a discharge from service;
- providing assistance in applying for and obtaining veterans benefits and benefits available through other programs that provide services and resources to veterans who are LGBT, and to the spouses and dependents of such veterans; and
- developing and distributing informational materials to veterans who are LGBT, and to the spouses and dependents of such veterans, regarding veterans' benefits and other benefit programs that provide services and resources to veterans who are LGBT, and to the spouses and dependents of such veterans.

The DVA must prepare and submit a report the Governor, the Joint Committee on Veterans and Military Affairs, and the appropriate standing committees of the Legislature regarding the implementation and status of the coordinator. This report must include the number of veterans served, the type of assistance provided, and the recommendations for the improvement and expansion of the services provided by the coordinator. The report is due December 15, 2020.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) Access to earned services and benefits for veterans is critical because it promotes their quality of life and economic security. Our state has a strong record of supporting veterans. This bill is an important next step toward supporting LGBT veterans and would have a meaningful impact on their lives. There used to be a "Don't Ask Don't Tell" (DADT) policy under which many LGBT veterans were discharged. There is a complicated federal process for upgrading the character of discharge for those veterans. A coordinator would be very helpful to veterans in correcting this record and connecting such veterans with services.

The LGBT veterans have suffered irreparable damage due to federal policies, including bad conduct discharges, criminal charges, or nonjudicial punishments. They have faced hostility in the military and when interacting with government agencies. Although the DADT policy was repealed, the damage is already done from that policy. Access remains a huge issue for veterans in the LGBT community. They feel disconnected from benefits, and are disproportionately affected by mental health and homelessness issues. Having someone specially designated to meet the needs of LGBT veterans will help them feel proud of their service. This coordinator will assist with the unique needs and experiences of these veterans and their families.

(Opposed) None.

(Other) Thousands of LGBT veterans may have received other than honorable discharges under DADT and earlier policies. An other than honorable discharge limits veterans eligibility to receive benefits that the DVA provides. Elderly veterans are seeking restoration of dignity, recognition of their service, and reinstatement of earned benefits. Open and authentic military service for the LGBT community is a recent phenomenon. The LGBT veterans face higher rates of mental health and homelessness issues and are historically underserved. Culturally responsive and affirming services are greatly needed.

Persons Testifying: (In support) Representative Kilduff, prime sponsor; Rabbi Rona Matlow; Eric Ballentine, Minority Veterans of America; and Carey Morris, Equal Rights Washington.

(Other) Alfie Alvarado, Washington Department of Veterans Affairs; and Nathaniel Boehme, Oregon Department of Veterans Affairs.

Persons Signed In To Testify But Not Testifying: None.

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 29 members: Representatives Ormsby, Chair; Robinson, 1st Vice Chair; Bergquist, 2nd Vice Chair; Stokesbary, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Rude, Assistant Ranking Minority Member; Caldier, Chandler, Chopp, Cody, Corry, Dolan, Fitzgibbon, Hoff, Hudgins, Kilduff, Macri, Mosbrucker, Pettigrew, Pollet, Ryu, Schmick, Senn, Springer, Steele, Sullivan, Tarleton, Tharinger and Ybarra.

Minority Report: Without recommendation. Signed by 3 members: Representatives Dye, Kraft and Sutherland.

Staff: Linda Merelle (786-7092).

Summary of Recommendation of Committee On Appropriations Compared to Recommendation of Committee On Housing, Community Development & Veterans:

The Appropriations Committee recommended changing the title of the created position to "Lesbian, Gay, Bisexual, Transgender, and Queer Coordinator" and changing the report due date to December 15, 2021.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) Washington has a long tradition of standing up for veterans. An estimated 55,000 veterans are lesbian, gay, bisexual, transgender, and queer (LGBTQ), and creating this position recognizes their unique needs. Less than 40 percent of veteran providers have any training regarding how to serve the LGBTQ population. This population has a higher rate of homelessness and unmet behavioral health needs. Some do not identify themselves as veterans, especially those who were discharged under the "don't ask, don't tell" military policy. Veterans are seeking services, but they are not able to find resources. They need assistance, and this LGBTQ Coordinator (Coordinator) will help open the door for them. Lesbian, gay, bisexual, transgender, and queer members have been pushed out of the military for years. The Coordinator may assist also veterans with a discharge that is other than "honorable." Having this new position will fill a gap in services in the LGBTQ community.

(Opposed) None.

Persons Testifying: Alfie Alvarado, Washington Department of Veterans Affairs; Manny Santiago, Washington State Lesbian, Gay, Bisexual, Transgender, and Queer Commission; Carey Morris, Equal Rights Washington; and Catherine West, Legal Voice.

Persons Signed In To Testify But Not Testifying: None.